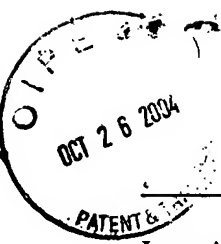


ITW/ DAA #



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bruce Merdjan

Examiner: N/A

Serial No.: 10/600,396

Group Art: 2836

Filed: June 20, 2003

For: System and Method For Supply
Distribution

**PETITION UNDER 37 C.F.R. § 1.137(b) FOR REVIVAL OF AN
UNINTENTIONALLY ABANDONED APPLICATION**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 1450

S I R:

Applicant respectfully requests that the above-identified application be revived.

In accordance with 37 C.F.R. 1.117(m) (1), included with the petition are substitute drawings are required by the outstanding Notice to File Corrected Application Papers.

Enclosed please find a credit card authorization form authorizing the PTO to charge the fee of \$685.00 for filing a petition under 37 C.F.R. 1.117(m) to the listed credit card.

10/28/2004 AWONDAF1 00000081 10600396

01 FC:2453

685.00 OP

It is respectfully submitted that the abandonment of the above-identified application for failure to respond to the outstanding Notice to File Corrected Application Papers issued in the above-identified application was unintentional.

If anything further is necessary to revive this application the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

No additional fee is believed due with this petition. However, should an additional fee be due please charge this fee to Deposit Account No.: 50-2828.

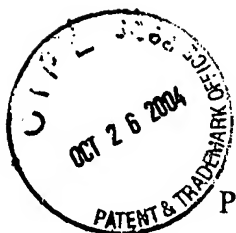
Respectfully submitted,

By: 

Jack Schwartz
Reg. No. 34,721
(212) 971 - 0146

Jack Schwartz & Associates
1350 Broadway
Suite 1510
New York, NY 10018

Dated: October 18, 2004



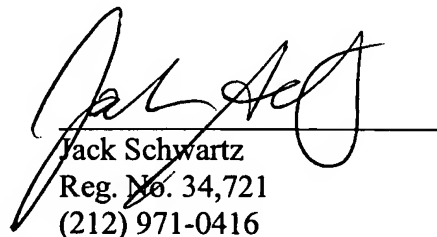
Patent Application No.: 10/600,396

CERTIFICATE OF MAILING

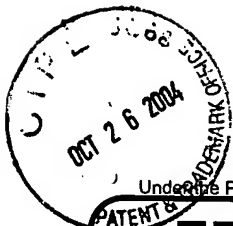
I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Mail Stop Petition, Commissioners for Patent, P.O. Box 1450, Alexandria, VA 22313-1450 on:

October 18, 2004

Date



Jack Schwartz
Reg. No. 34,721
(212) 971-0416



PTO/SB/17 (10-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL**for FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 685.00**Complete if Known**

Application Number	10/600,396
Filing Date	June 20, 2003
First Named Inventor	Bruce Merdjan
Examiner Name	N/A
Art Unit	2836
Attorney Docket No.	1052-2

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number
50-2828Deposit Account Name
Jack Schwartz

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

		Extra Claims	Fee from below	Fee Paid
Total Claims		-20** =	X	
Independent Claims		-3** =	X	
Multiple Dependent				

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	685.00
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 685.00**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	Jack Schwartz	Registration No. (Attorney/Agent)	34,721	Telephone	212-971-0416
Signature		Date	October 18, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/600,396	06/20/2003	Bruce Merdjan	1052-2

25903
 JACKIE JAY SCHWARTZ
 1350 Broadway
 Suite 1510
 NEW YORK, NY 10018

CONFIRMATION NO. 8533
 ABANDONMENT/TERMINATION
 LETTER
 OC000000014090181
 OC000000014090181

Date Mailed: 10/14/2004

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 08/27/2003.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

2-Moguss

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

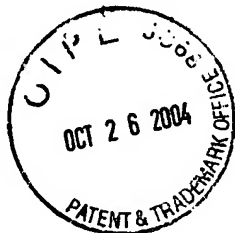


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/600,396	06/20/2003	Bruce Merdjan	1052-2

Mr. Jackie J. Schwartz
 1350 Broadway, Suite 1507
 New York, NY 10018



CONFIRMATION NO. 8533

FORMALITIES LETTER



OC000000010766075

Date Mailed: 08/27/2003

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - More than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.)(see 37 CFR 1.84(u)(1)). See Figure(s) 4a , 4b.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bruce Merdjan

Examiner: N/A

Serial No.: 10/600,396

Group Art: 2836

Filed: June 20, 2003

For: System and Method For Supply
Distribution

Response to Notice of Corrected Application Papers

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 1450

S I R:

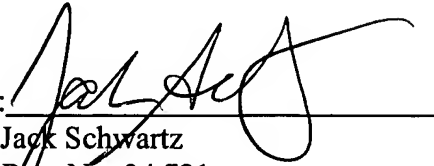
A Notice to File Corrected Application Papers was issued in which replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required.

Enclosed with this response please find a copy of replacement drawings that include each Figure correctly labeled with a consecutive Arabic numeral and a capital letter in the English language. In view of the above remarks, Applicant respectfully submits that the drawings are now in compliance with 37 CFR 1.84 and 37 CFR 1.121.

If anything further is necessary to revive this application the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

No additional fee is believed due with this response. However, should an additional fee be due please charge this fee to Deposit Account No.: 50-2828.

Respectfully submitted,

By: 

Jack Schwartz
Reg. No. 34,721
(212) 971 - 0146

Jack Schwartz & Associates
1350 Broadway
Suite 1510
New York, NY 10018

Dated: October 18, 2004